

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 11, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RASHAD BECKHAM,

Petitioner,

v.

NO NAMED RESPONDENT,

Respondent.

NO: 2:22-CV-0230-TOR

ORDER OF DISMISSAL
WITHOUT PREJUDICE

On October 13, 2022, Petitioner filed a *pro se* Petition for Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254, without paying the \$5.00 filing fee or seeking leave to proceed *in forma pauperis*. ECF No. 1.

On December 1, 2022, this Court ordered Petitioner to submit a completed *in forma pauperis* application within thirty (30) days of the date of that Order. ECF No. 3 at 2. In the alternative, Petitioner was advised that he could pay the full \$5.00 filing fee. *Id.* Petitioner was advised that his failure to do so within 30 days would

ORDER OF DISMISSAL WITHOUT PREJUDICE -- 1

1 result in the dismissal of this case. *Id.* Petitioner has neither paid the filing fee nor
2 sought *in forma pauperis* status.

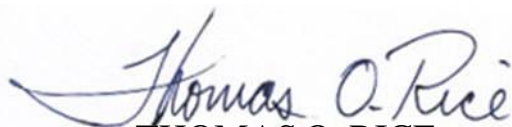
3 Accordingly, **IT IS HEREBY ORDERED:**

- 4 1. This action is **DISMISSED without prejudice** for failure to comply with the
5 filing fee or *in forma pauperis* requirements of 28 U.S.C. §§ 1914 and 1915.
6 2. The Court certifies that any appeal of this dismissal would not be taken in
7 good faith, and there is no basis upon which to issue a certificate of
8 appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b). A certificate of
9 appealability is therefore **DENIED**.

10 The Clerk of Court is directed to enter this Order, enter judgment, forward a
11 copy to Petitioner, and **close** the file.

12 DATED January 11, 2023.




THOMAS O. RICE
United States District Judge